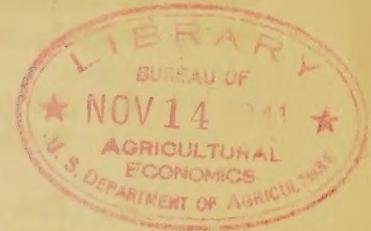


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SRB-506

Issued April 22, 1941

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
SOUTHERN DIVISION



INSTRUCTIONS FOR FILLING OUT FORM ACP-120 (SR), "APPLICATION FOR  
1941 PARITY PAYMENT"

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I. - GENERAL

Application for a 1941 parity payment with respect to wheat, cotton, rice, or flue-cured tobacco may be made by any interested producer (landlord, tenant, or sharecropper) with respect to any farm, provided:

1. An acreage allotment for the farm has been established for such crop under the 1941 Agricultural Conservation Program;
2. The acreage planted to such crop on the farm for harvest in 1941 is not in excess of the respective acreage allotment; 1/
3. The farm is being operated in 1941;
4. The county committee finds that the sum of the acreages of wheat, cotton, rice, and tobacco does not exceed the sum of the allotments 1/ (or permitted acreage, where applicable) for such crops under the 1941 Agricultural Conservation Program; and
5. The farm was covered by a properly executed work sheet 2/ filed in the county office under the 1940 (or a previous) Agricultural Conservation Program, or not later than March 1, 1941, for farms in Florida, Oklahoma, and Texas, and not later than March 31, 1941, for farms in Alabama, Arkansas, Georgia, Louisiana, Mississippi and South Carolina,

except that if a person is interested in two or more farms in the county and the sum of his acreage shares of wheat, cotton, rice, and tobacco on all farms in which he has an interest as landlord, tenant, or sharecropper in the county exceeds the sum of his shares of the allotments (or permitted acreages, where applicable) for such crops on such farms, no payment may be made to him in the county.

Form ACP-120 (SR) "Application for 1941 Parity Payment" (hereinafter referred to as Form 120 or application) shall be used in filing application for a 1941 parity payment, except where such application is combined with the application for a 1941 agricultural conservation payment.

Application with respect to wheat may be made prior to the determination of performance with respect to other crops. However, before an application may be made with respect to cotton, rice, or tobacco for a farm, it must be determined that the performance on the farm meets the require-

1/ Where an erroneous notice of an acreage allotment was issued and the producer(s), acting solely upon the information contained in the erroneous notice, seeded on acreage in excess of the correct allotment, the acreage contained in the erroneous notice (but not in excess of the acreage planted to the crop on the farm) shall be used in making this determination.

2/ A work sheet is not properly executed unless it was signed by the owner or the operator of the farm.

ments set out in item (4) above. The applicant will agree by signing the application to refund the payment if the performance requirements set out above are not met.

In cases where a producer shares as landlord, tenant, or sharecropper in wheat, cotton, rice, or tobacco on a farm in the county where the acreage of the crop exceeds the respective allotment 1/ (or permitted acreage, where applicable) and it cannot be definitely determined by a visual inspection of farms in the county office for the farms in which he is interested in the county that the sum of his shares of the planted acreages of these crops on all such farms does not exceed the sum of his shares of the acreage allotments 1/ (or permitted acreages, where applicable) for these crops, a Form SR-548, "Summary of Producer's Performance - 1941 Parity Payment Program", shall be prepared for the producer in accordance with the instructions contained in Part IV hereof.

A Form 120 shall in all cases cover the area of land considered as a farm under the 1941 Agricultural Conservation Program and which is included under a single "Farm Work Sheet", Form SR-301 (hereinafter referred to as work sheet). No application shall be executed for a farm which is not being operated in 1941. (See 1941 General Letter No. 1 for instructions on determining whether a farm is considered to be "operated.") No application with respect to rice shall be executed for a farm on which no rice is planted in 1941. No application with respect to cotton shall be executed for a "new-grower" (C-2) cotton farm, that is, a farm on which no cotton was planted in any of the years 1938, 1939, or 1940.

The entries to be made in the county office and by the applicants have been indicated by dotted lines. All other entries shall be made in the State office.

All acreages, including the division of crop acreages among interested persons, shall be expressed to the nearest tenth of an acre; hundredths amounting to five or less shall be dropped and hundredths amounting to more than five shall be considered a whole tenth.

Any correction in the data which have been entered on Form 120 should be made by drawing a light line through the original entry and entering the correct data immediately above or beside the original entry. Any such correction should be initialed by the committeeman whose signature appears in Section III thereof. If such committeeman is not available to initial the correction, such correction may be initialed by another member of the county committee; provided he also affixes his signature in Section III of Form 120 above the original signature.

Forms 120 should be filled out with a typewriter where practicable. If a typewriter is not used, data must be entered with an indelible pencil, and care taken to see that entries are clearly legible on all copies of the form. All four copies of the application shall be filed with the secretary of the county agricultural conservation association (hereinafter referred to as association secretary) of the county in which the farm is located.

If there are more than eight interested persons, use Section II of another Form 120 as a continuation sheet. Each such Form 120 so used shall have the notation "Continuation sheet" inserted at the top thereof, shall be properly identified by entering the State and county code, the farm serial number, and the name of the county, and shall be securely attached to the first Form 120. Sections I and III of the continuation sheet(s) need not be executed.

Where application is made with respect to two or more crops on a farm, a separate Form 120 shall be used for each such crop.

## II. - PREPARATION OF FORM 120

### A. Heading.

Enter in the spaces provided the name of the crop (wheat, cotton, rice, or flue-cured tobacco) with respect to which application is being made; the State and county code and farm serial number; and the name of the county.

Do not enter the transmittal number.

### B. Section I. Basic Data.

#### 1. Where the application is for the wheat parity payment -

- (a) Enter in item 1 the total acreage planted to wheat on the farm for harvest in 1941, from line 26, column K of SR-512A, "Performance Report," or from line 26, column L of Form SR-512B, "Performance Report."

Note: In accordance with instructions issued in SRB-503 Wheat "Instructions for Checking and Reporting 1941 Wheat Acreage," the total acreage devoted to seeded wheat, volunteer wheat, and wheat mixtures will have been entered on Form SR-512A or SR-512B below the space for the total of column G. If this entry exceeds the farm's wheat acreage allotment, no wheat parity payment may properly be made for the farm until such time as it is determined that the acreage finally devoted to wheat on the farm does not exceed the wheat acreage allotment.

If no wheat was planted on the farm for harvest in 1940 but the county committee determines that the farm is nevertheless being operated in 1940, enter "0" or the word "None" in item 1.

- (b) Enter in item 2 the wheat allotment from line 8, Form SR-504W, "County Listing Sheet for Wheat." If wheat was not planted on the farm for harvest in 1938, 1939, or 1940 (Group 2 farms) and the acreage of wheat planted for harvest in 1941 is less than the wheat allotment, the allotment must be reduced to an acreage equal to the acreage planted for harvest in 1941.

- (c) Enter in item 3 the "approved wheat yield from column 10, Form SR-504W, "County Listing Sheet for Wheat."

Make no entries in items 4 and 5.

Supplementary instructions for entering the basic data with respect to cotton, rice, and tobacco will be issued at a later date.

C. Section II. Representations and Application for Payment -

1. Type or print in the spaces provided the names and regular mail addresses of all persons who as landlords, tenants, and sharecroppers are entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of the crop planted on the farm for harvest in 1941. The name of each producer should be in the form in which such producer usually signs business documents, except that where the producer is a married woman her full Christian name, additional initials, if any, and surname must be entered instead of her husband's name preceded by "Mrs.", unless she signs in a representative capacity, in which case her name must be shown in the same manner as it appears in the document(s) authorizing her so to act. The name of the operator of the farm followed by the notation "OP" should be entered on the first line. The name of the landlord followed by the notation "LL" should be entered on the next line provided for the name of a producer.

If a person who otherwise would have shared in the payment dies or becomes incompetent before Form 120 is executed, the name to be entered will be the applicable one of the following:

- (a) If the person is deceased and an executor or administrator has been appointed to administer his estate, the name of the representative and of the decedent's estate shall be entered. (Example: "John H. Doe, executor (or administrator) of the estate of Richard Roe, deceased.")
- (b) If the person is deceased and no executor or administrator has been appointed (and none is likely to be appointed in the near future), the names of all the heirs of the decedent shall be entered, (Example: "W. R. Roe, Mary E. Roe, and Edward J. Roe, all the heirs of Richard Roe, deceased,") unless such heirs designate a trustee to execute the application for them and receive payment on their behalf. In the latter event, the name of the trustee and a showing as to who he is acting for shall be entered. (Example: "John Doe, trustee for all the heirs of Richard Roe, deceased.")
- (c) If the person is incompetent, the name of his guardian (or committee) and of his estate shall be entered. (Example: "John H. Doe, guardian (or committee) of the estate of Richard Roe, incompetent.")

2. The determination of the share to which each producer is entitled shall be made as of the time the county committee approves the application.

Where the application is for the wheat parity payment -

(a) Enter in the spaces provided following the name of each interested person the share (expressed to the nearest tenth of an acre) of the proceeds (other than a fixed commodity payment) of the wheat planted on the farm for harvest in 1941 to which each such person is entitled as of the time of harvest. The acreage shares shall be determined from the data entered in Section 2 of SR-512A (or 512B) unless,

- (1) No wheat was seeded on the farm for harvest in 1941, or
- (2) The acreage which would otherwise have been seeded for harvest in 1941 was substantially reduced because of flood or drought, or
- (3) A Form ACP-95, "Combination Farm Share Agreement," indicating an agreement by all producers entitled to share in the depleting crops on the farm in 1941 to a division of the wheat payment, is on file.

Under items (1) and (2) above, the wheat allotment shall be divided among the landlords, tenants, and sharecroppers on the farm in the proportion that the county committee determines such persons would have been entitled to share in the proceeds of the wheat crop, under the terms of the lease or operating agreement covering the farm, if the entire acreage in the wheat allotment had been planted to wheat for harvest in 1941. In case of a dispute and in the absence of proof of the terms of the lease or operating agreement covering the farm in 1941, such allotment should be divided in accordance with the terms of the customary leasing or operating agreement in the community. Under item (3) above, the applicable percentage shares shown on Form ACP-95 shall be used.

If there is only one producer unit on the farm and it is desirable to do so, the shares of the producers may be expressed in percentages rather than acreages. If percentages are used, each percentage should be expressed to the nearest tenth of a percent and the sum of the percentage shares must exactly equal 100. If one person is entitled to all of the wheat crop, enter the word "All" following his name.

Instructions for entering the acreage shares of cotton, rice, and tobacco will be issued as a supplement to these instructions.

### III. - EXECUTION OF FORM ACP-119

If a Form ACP-119, "Number of Tenants and Sharecroppers and Proportionate Shares," (hereinafter referred to as Form 119) was not prepared for the farm in 1940 and if the county committee does not determine on the

basis of its own personnel knowledge, or information obtained from the respective community committees or other persons whom it knows to be reliable, that neither the landlord nor the operator is receiving in 1941 a larger proportion of the entire acreage of wheat on the farm than he received during any of the years 1938, 1939, and 1940, a Form 119 shall be prepared for the farm in accordance with the following instructions:

Enter the name of the county, the farm serial number, the name of the landlord, and the name of the operator (if other than the landlord) in the spaces provided.

Enter in the respective lines of column A the number of tenants (including the operator, if other than the landlord) and sharecroppers on the farm in 1938, 1939, and 1940; the total of the 1938, 1939, and 1940 figures; the average number in these years; and the number on the farm in 1941. If there were no tenants or sharecroppers on the farm in any year, enter "0"; if the farm was not operated in any year, enter the words "Not operated." To get the average number of tenants and sharecroppers divide the number in line 7, column A, by the number of years during 1938 through 1940 that the farm was operated and round the result to the nearest whole number in the usual manner.

Enter the word "Wheat" in the first space provided for "Name of Crop." Data for wheat shall be entered in lines 2, 3, 6, 7, 8, and 9, columns B through F, in accordance with the instructions set out below, except that if the entry in line 8, column A, does not exceed the entry in line 9, column A, data for columns B through F shall be entered only in lines 6 and 9. It will not be necessary to fill in columns E and F unless the operator of the farm in 1941 is a person other than the landlord, and such entries are to be made only for those years when there was an operator who was not also the landlord.

1. Enter in column B, the total acreage of the crop on the farm in each of the years 1938 through 1941.
2. Enter in column C and E the acreage shares of the landlord and the operator respectively for the years 1938 through 1941.
3. Enter in lines 2, 3, 6, and 9, columns D and F, the landlord's and operator's percentage shares, expressed to the nearest whole percent.
4. Enter in line 7, columns D and F, the sum of the entries in lines 2, 3, and 6 in the respective columns.
5. Enter in line 8, columns D and F, the simple average of the percentage shares, expressed to the nearest whole percent, which shall be obtained by dividing the entry in line 7 by the number of entries in lines 2, 3, and 6 in that column.

If form 119 was executed for the farm in 1940, the county office copy of the form shall be prepared for use in 1941 by making the applicable entries

in lines 7, 8, and 9 of column A, and of the applicable columns B through F in accordance with the foregoing instructions for executing the form. Where the entry in line 8, column A, does not exceed the entry in line 9, column A, no entry need be made in lines 7 and 8, columns D and F.

If the entry in line 9, column D or F, is in excess of the entry in line 6, or the entry, if any, in line 8 of that column, the Form 119 must be attached to the related Form 120 for consideration by the county committee as to whether the change in relationship between the landlord or operator and the tenants and sharecroppers or the reduction in the number of tenants and sharecroppers on the farm is justified.

#### IV. - PREPARATION OF FORM SR-548

Form SR-548, "Summary of Producer's Performance - 1941 Parity Payment Program," (hereinafter referred to as Form SR-548) shall be prepared for each producer who is making application for the parity payment with respect to wheat, cotton, rice, or tobacco if he shares in wheat, cotton, rice, or tobacco on a farm in the county where the acreage of the crop exceeds the respective allotment, unless it can be definitely determined by a visual inspection of forms in the county office for the farms in which he is interested in the county that the sum of his acreage shares of the planted acreages of these crops on all such farms does not exceed the sum of his acreage shares of the acreage allotments (or permitted acreages, where applicable) for all these crops. Form SR-548 shall be prepared as follows:

1. Enter the name of the county and the name of the producer in the spaces provided.
2. For each farm in which the producer has an interest in one or more of the crops wheat, cotton, rice, or tobacco:
  - (a) Enter in column A the farm serial number.
  - (b) Enter on separate lines in column B the names of such crops (cotton, rice, tobacco, or wheat) in which the producer is interested on the farm in question.
  - (c) Enter in columns C and F respectively, following the name of each crop, the total acreage of the crop planted on the farm for harvest in 1941, and the farm acreage allotment for such crop.
3. The entries to be made in columns D, E, and G will be determined in accordance with (a), (b), or (c), below whichever is applicable.
  - (a) If the division of payment for the crop is shown on the related Form 120 (or as would be shown if there were an application) is on the planted acreage basis:

- (1) Enter in column D the producer's acreage share of the planted acreage, from the Performance Report (or Form 120).
  - (2) Enter in column E the percentage share, expressed to the nearest tenth of a percent, obtained by dividing the entry in column D by the entry in column C.
  - (3) Enter in column G the result obtained by multiplying the entry in column F by the entry in column E.
- (b) If the division of payment for the crop is on the basis of the acreage shares which the county committee determines the various producers on the farm would have had if the entire acreage in the acreage allotment had been planted to the crop in question in 1941:
- (1) Enter in column G the acreage share so determined for the producer in question.
  - (2) Enter in column E the percentage share, expressed to the nearest tenth of a percent, obtained by dividing the entry in column G by the entry in column F.
  - (3) Enter in column D the result obtained by multiplying the entry in column C by the entry in column E.
- (c) If the division of payment for the crop is on a percentage basis:
- (1) Enter in column E the producer's percentage share.
  - (2) Enter in column D the result obtained by multiplying the entry in column C by the entry in column E.
  - (3) Enter in column G the result obtained by multiplying the entry in column F by the entry in column E.

After entries have been made in accordance with items 2 and 3 above for all farms, enter the totals of columns D and G in the spaces provided. If the total of column D exceeds the total of column G no payment under any parity application may be made to the producer in the county. In such cases where it is known that the producer has an interest in farming operations in other counties, a copy of Form SR-548 must be sent to the State office for consideration.

#### V. - REPRESENTATIONS BY AND SIGNATURES OF APPLICANTS

Each applicant should familiarize himself with the provisions of Section II of Form 120, since it contains the representations upon which he is basing his claim for payment. Under no circumstances should an applicant

be requested or permitted to sign Form 120 before all entries in connection with basic data and proportionate shares have been made on the form. Where Section II of Form 120 is used as a continuation sheet, the other Form(s) 120 on which the basic data and names and shares of other applicants have been entered must be with the continuation sheet when it is presented to the applicants named thereon for signature.

The signature of each applicant should be affixed in the space provided in Section II of Form 120 on the line with his name. Where the address is entered before the producer signs the application, the correctness of the address should be verified at the time the producer signs. The signature of each applicant on Form 120 or any related paper should agree with his name as typed or printed thereon. All signatures on the original form should be in ink or indelible pencil and must be in the original handwriting of the applicant or his duly authorized representative. Traced signatures, carbon impressions, and facsimile signatures on the original form are not acceptable. The provisions of ACP-16, "Instructions on Signatures and Authorizations in Connection with the Execution of Application for Payment or Related Papers under the Agricultural Conservation Programs," are hereby made a part of these instructions. It is not required that signatures be witnessed unless they are made by mark. Each signature by mark must be witnessed by a disinterested person whose signature must be in the original and handwritten. Where a witness to a signature is required, the signature of the witness should be entered in the space provided immediately below the signature of the producer whose signature is being witnessed.

The date on which the signed application is filed in the county office shall be entered in the space provided. This shall be the date on which the applicants affix their signatures in those cases where they come to the county office to sign the application. Where all applicants do not sign the application on the same date, the date to be entered shall be the latest date on which the signature of any applicant is affixed, which in no event may be later than March 31, 1942, on original applications. Where the application is taken out or mailed out of the county office for signatures, the date the signed application is returned to the county office or, if returned by mail, the date of the postmark on the envelope, shall be considered as the date of filing.

If any interested person who otherwise would share in the payment refuses to sign the application, a statement by him setting forth his reason for refusing to sign should be attached. If such statement cannot be obtained, there should be attached a statement by a county committeeman or the association secretary indicating the efforts that have been made to secure the signature and statement of such person. If for any other reason the signature of any person who otherwise would share in the payment cannot be obtained, the reason for the failure of such person to sign should be entered in the space where his signature would otherwise be affixed and such entry initialed by a county committeeman who signs in Section III of Form 120 or by the association secretary.

Payment may be made later to any such producer, if, within the time limit for accepting applications, he submits a properly executed supplemental application. The notation, "Supp." should be entered in the upper right corner immediately following the serial number of the supplemental application. The basic data on the supplemental application must be identical with those on the original application, except that it will not be necessary to include the acreage or percentage shares of any producers other than those applying for payment on the supplemental application. Such supplemental application need not be signed by any interested person whose signature was affixed to the original but must be signed by the association secretary and a member of the county committee.

#### VI. - APPROVAL OF FORMS 120 BY COUNTY COMMITTEE

After all necessary data have been entered and thoroughly checked and the signatures of applicants affixed, the application shall be turned over to the county committee for consideration. The committee shall carefully examine the application and other data for the farm to determine if the farm covered thereby is in performance. The committee shall likewise carefully examine related data for other farms to determine if each applicant is eligible for payment.

If the committee finds that an applicant is not eligible to receive payment because the sum of his acreage shares of wheat, cotton, rice, and tobacco on all farms in which he is interested in the county are in excess of the sum of his shares of the respective allotments (or permitted acreage, where applicable) the word "Out" shall be inserted following his name in the column headed "Amount" in Section II. (Where this finding is made after one or more applications for the producer is transmitted to the State office, the county committee shall immediately notify the State office of this fact, and attach to such notice a copy of Form SR-548 for the producer. If any 1941 parity payment check(s) is subsequently received for that producer, such check(s) shall be returned to the Disbursing Office for cancellation.)

If the county committee finds that a landlord of a separately owned tract of a farm covered by a Form ACP-95 has overplanted or caused the overplanting of the cotton, rice, tobacco, or wheat acreage allotment which was or could have been established for his separately owned tract of land included in the farm and refuses to cooperate with other producers having an interest in the farm in making equitable adjustment with respect thereto, the county committee shall attach to Form 120 two copies of the signed report of its findings, together with a copy of the Form ACP-95, where applicable, which was used in combining the separately owned tracts into one farm. The report shall set forth the acreage allotment for the crop(s) which was or could have been established for each separately owned tract in the farm and the acreage(s) planted to the crop(s) for harvest in 1941 on each such tract.

If the county committee finds that any person has adopted any practice which tends to defeat any of the purposes for which parity payments are made (including those practices set forth in Section 5 of P-1941, "1941

Parity Payment Regulations"), it shall attach to Form 120 two copies of the signed report of its findings.

In the case of wheat, the county committee shall not approve an application for a farm unless it is of the opinion that such farm is being or will be operated in 1941 as defined in 1941 General Letter No. 1, dated November 14, 1940. The committee may base its decision on the fact that the acreage of wheat planted on the farm in itself constitutes operation of the farm, as defined in the General Letter, or it may base its decision on the statement of the farm operator regarding his completed preparations and plans for farming in 1941. If it appears to the committee that the farm may not be operated in 1941, the committee shall not approve the application unless and until it finds that the farm is being operated.

The county committee is charged with the responsibility of determining that a person who signs an application in a representative or fiduciary capacity has the proper authority so to act. If the members of the county committee do not have personal knowledge that each such person has proper authority, they should require him to submit evidence of his authority. (See ACP-16, and AAA Forms 379, 380, 381, and 382 as to what constitutes acceptable evidence of such authority.) It is not required that a power of attorney on the applicable AAA form or similar form be secured for substitution unless the power of attorney then on file in the county office is found to be inadequate. No written evidence of authority need be attached to the application when it is submitted to the State office for payment.

If the county committee finds that the producers planted on the farm an acreage in excess of the acreage allotment for the crop with respect to which application for parity payment is being made due solely to the issuance of an erroneous notice of the acreage allotment, the committee shall attach to the application two copies of a statement with respect to the erroneous notice prepared in accordance with instructions set forth in Southern Region Bulletin 404A (or 404B).

If a Form 119 has been attached to Form 120, the county committee shall record in the space provided on the Form 119<sup>3/</sup> its findings (and the reasons therefor) as to whether:

1. Any change in the relationship between the landlord or operator and his tenants or sharecroppers which results in a larger proportionate share of the crop for the landlord or operator in 1941 than in 1940, or
2. Any reduction in the number of tenants and sharecroppers on the farm from the average number of tenants and sharecroppers on the farm during 1938, 1939, and 1940 where such reduction in the number of tenants and sharecroppers

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<sup>3/</sup> If the Form 119 was used in 1940, the finding of the committee shall be recorded on a separate Form 119, properly identified and attached to the Form 119 used in 1940.

results in the landlord or operator receiving a larger proportionate share of any crop in 1941 than the average of his proportionate shares of such crop during 1938, 1939, and 1940,

is justified or not justified. If the change or reduction is found to be justified in part, the committee shall include in its finding a statement of the percent of the payment with respect to each crop in question to which the committee finds the landlord (or operator) to be entitled. One member of the county committee shall then affix his signature on Form 119<sup>3</sup>/ in the space provided. Where such change or reduction is found to be not justified, the county office shall make a notation substantially as follows on Form 120 below the name and address of the last producer shown thereon: "Payment for John H. Doe, landlord (or operator) should not exceed \_\_\_\_\_% of the (Name of Crop) payment for the farm." If the entire change or reduction is found to be not justified the percentage to be entered shall be the lesser of the entry in line 6 or the entry, if any, in line 8 of the applicable column D or F of the Form 119. If only a part of the change or reduction has been found to be not justified the percentage to be entered shall be the applicable percentage set forth in the certification of the county committee on the Form 119.

A typed copy of Form 119, signed by a member of the county committee, shall be attached to the Form 120 for transmittal to the State office:

1. If the county committee has found that all or any part of the change or reduction with respect to the crop in question was not justified, and
2. In all other cases where the entry in line 9, column D or F for the crop in question exceeds the entry in line 6 or the entry, if any, in line 8 in that column by more than 5.

After the county committee approves an application, it shall authorize one of its members to affix his signature on behalf of the committee in the space provided in Section III thereof. Where continuation sheets are used, the approval shall be on the first Form 120. The committeeman who signs in Section III of Form 120 must not be a near relative of any applicant or have any sort of financial interest in the farm covered by the application.

After the application has been approved by the county committee, it shall be turned over to the association secretary for his consideration and approval. The county committee may designate one or more persons employed in the office of the association to perform the duty of approving applications for payment and related documents on behalf of the association secretary. Such designation may be made by executing in quadruplicate an authorization in writing by at least two members of the county committee and delivering the original and one copy to the State office, handing one copy to the person so designated and retaining the other copy in the association files. The authorization should be substantially in the form

set out in Southern Region Bulletin 305A (or 305B), except that "1941 Parity Payment Program" shall be substituted for "1939 Agricultural Conservation Program" in the body of the authorization.

#### VII. - TRANSMITTAL OF FORM 120 TO STATE OFFICE

Before transmittal to the State office, each Form 120 should be carefully checked to determine that:

1. All data have been correctly entered.
2. Any correction has been properly initialed.
3. Each interested producer has signed or there is a proper explanation as to why he has not done so.
4. All signatures of interested producers are genuine and agree with their names as typed or printed on the application.
5. Any signature by mark has been properly witnessed.
6. A complete mail address is entered for each producer who has signed the application.
7. The signatures of the association secretary and a county committeeman have been affixed in the spaces provided.
8. The date of filing has been entered in the space provided.
9. There are attached to Form 120 the correct number of all applicable statements and if applicable a copy of Form 119.

Forms 120 shall be listed on Form SR-415, "Transmittal Sheet," and submitted to the State office.

The original and all copies of Forms 120, with inserted carbons intact, shall be submitted to the State office. The "County Office Copy" and "Producer's Copy" will be returned to the county office after computations have been made thereon by the State office. The "Producer's Copy" shall then be delivered to the farm operator.

Forms 120 suspended for corrections should be listed on Form SR-415 with regular applications when ready for resubmission to the State office rather than being listed on a separate Form SR-415.

Issued with the approval of the Administrator on April 22, 1941.

*I. W. Duggan*

I. W. Duggan,  
Director, Southern Division.

Name of County

Name of Producer

## Summary of Producer's Performance 1941 Parity Payment Program

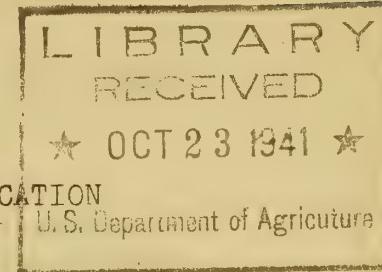
1/ The entry with respect to wheat on a non-wheat allotment farm shall be the applicable one of the following: (1) the wheat allotment, if established, and the acreage of wheat harvested on the farm is not in excess thereof, or (2) the usual acreage, if established, and no wheat allotment is established for the farm or a wheat allotment was established and the acreage of wheat harvested on the farm exceeds the wheat allotment but does not exceed such usual acreage, or (3) the smaller of the permitted acreage or the harvested acreage where the harvested acreage exceeds the usual acreage or where no usual acreage is established. The entry with respect to cotton on a "new-grower" (C-2) farm shall be the permitted acreage or the planted acreage whichever is the smaller.



UNITED STATES DEPARTMENT OF AGRICULTURE  
 AGRICULTURAL ADJUSTMENT ADMINISTRATION  
 SOUTHERN DIVISION

INSTRUCTIONS FOR FILLING OUT FORM ACP-120 (SR), "APPLICATION  
 FOR 1941 PARITY PAYMENT"

(Applicable to all States except Mississippi)



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I. GENERAL

An application for parity payment with respect to a commodity (wheat, cotton, rice, or flue-cured tobacco) may be made by a land-lord, tenant, or sharecropper who has an interest in a farm, provided:

1. An acreage allotment has been determined for the commodity under the 1941 Agricultural Conservation Program;<sup>1/</sup>
2. The farm is operated in 1941;

<sup>1/</sup> This applies to wheat on non-wheat allotment farms only in cases where the acreage of wheat on the farm does not exceed its wheat acreage allotment.

3. The farm was covered by a properly executed work sheet<sup>2/</sup> filed in the county office under the 1940 (or a previous) Agricultural Conservation Program, or not later than March 1, 1941, for farms in Florida, Oklahoma, and Texas, and not later than March 31, 1941, for farms in Alabama, Arkansas, Georgia, Louisiana, and South Carolina.

Form ACP-120 (SR) "Application for 1941 Parity Payment" (hereinafter referred to as Form 120 or application) shall be used in filing application for a 1941 parity payment.

A Form 120 shall in all cases cover the area of land considered as a farm under the 1941 Agricultural Conservation Program and which is included under a single "Farm Work Sheet", Form SR-301 (hereinafter referred to as work sheet). No application shall be executed for a farm which is not being operated in 1941, except where data for the farm is listed on a Form SR-548, prepared in accordance with Part IV hereof, in which case a Form 120 shall be prepared for each applicable commodity on the farm and completely executed except for the producers' signatures. In such cases the notation "Not operated" must be prominently written on the face of the form (see 1941 General Letter No. 1 for instructions on determining whether a farm is considered to be "Operated.") No application with respect to rice shall be executed for a farm on which no rice is planted in 1941. No application with respect to cotton shall be executed for a "new-grower" (C-2) cotton farm, unless the permitted acreage is exceeded. No application with respect to wheat on a non-wheat allotment farm on which the acreage planted to wheat exceeds the allotment shall be executed unless the usual acreage or the permitted acreage, whichever is applicable, is exceeded. Where an application is executed due to the fact that the usual or permitted acreage for the crop is overplanted the applicable notation "usual" or "permitted" shall be entered preceding the name of the crop in the heading of the form 120.

If allotments for wheat, cotton, rice and flue-cured tobacco on the farm are all overplanted by ten percent or more of the allotment and no producer on the farm is interested in any such crop on any other farm, an ACP-120 for any commodity need not be prepared for the farm.

If an acreage allotment for cotton, wheat, rice, or flue-cured tobacco is exceeded by ten percent or more or any permitted acreage of cotton or usual or permitted acreage of wheat, whichever is applicable, is exceeded and

- (1) a form 120 is submitted for any such commodity on the farm or
- (2) any producer who is interested in one or more of the crops on the farm which are overplanted to the extent indicated in this sentence, submits an application

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<sup>2/</sup> A work sheet is not properly executed unless it was signed by the owner or the operator of the farm.

with respect to cotton, wheat, rice or flue-cured tobacco on any other farm in the state,

a form 120 must be submitted at the same time for all such commodities on the farm for which an application has not previously been submitted.

The entries to be made in the county office and by the applicants have been indicated by dotted lines. All other entries shall be made in the State office.

All acreages, including the division of crop acreages among interested persons, shall be expressed to the nearest tenth of an acre; hundredths amounting to five or less shall be dropped and hundredths amounting to more than five shall be considered a whole tenth.

Any correction in the data which have been entered on Form 120 should be made by drawing a light line through the original entry and entering the correct data immediately above or beside the original entry. Any such correction should be initialed by the committeeman whose signature appears in Section III thereof, or if he is not available to initial the correction, it may be initialed by another member of the county committee; provided he also affixes his signature in Section III of Form 120 above the original signature.

Forms 120 should be filled out with a typewriter where practicable. If a typewriter is not used, data must be entered with an indelible pencil, and care taken to see that the entries are clearly legible on all copies of the form. All four copies of the application shall be filed with the secretary of the county agricultural conservation association (hereinafter referred to as association secretary) of the county in which the farm is located.

If there are more than eight interested persons, use Section II of another Form 120 as a continuation sheet. Each such Form 120 so used shall have the notation "Continuation sheet" inserted at the top thereof, shall be properly identified by entering the State and county code, the farm serial number, and the name of the county, and shall be securely attached to the first Form 120. Sections I and III of the continuation sheet(s) need not be executed.

Where application is made with respect to two or more crops on a farm, a separate Form 120 shall be used for each such crop.

## II. PREPARATION OF FORM 120

### A. Heading.

Enter in the spaces provided the name of the crop (wheat, cotton, rice, or flue-cured tobacco) with respect to which application is being made; the State and county code and farm serial number; and the name of the county.

Do not enter the transmittal number.

B. Section I. Basic Data.

Enter in lines 1, 2, and 3, from the applicable space on the application work sheet, (1) the acreage planted to the commodity on the farm in 1941, (2) the 1941 acreage allotment and (3) the normal yield per acre established for the farm.

C. Section II. Representations and Application for Payment.

Type or print in the spaces provided the names and regular mail addresses and the acreage or percentage shares of all persons who as landlords, tenants, and sharecroppers are entitled, as of the time of harvest, to share in the proceeds (other than a fixed commodity payment) of the crop planted on the farm for harvest in 1941. These data shall be entered from the application work sheet.

Where the application is with respect to cotton and due to the fact that less than 80 percent of the allotment was planted the division of payment for the farm is to be on the basis of the acreage shares to which the producers would have been entitled had the entire acreage in the cotton allotment been planted to cotton in 1941 care must be taken to see that the applicable instructions set forth in State Letter No. 203 are followed. If there are two or more producer units on the farm and (1) no acreage was planted to the crop in question, or (2) the acreage planted to the crop in question by one or more producers was substantially reduced by flood, hail, drought, insects or plant-bed disease, the acreage shares to which the producers would have been entitled had the entire acreage in the allotment been planted shall be entered. Under item (2) of the foregoing sentence the applicable notation "flood," "hail," "drought," "insects," or "plant-bed disease" shall be entered above Section II of the Form 120.

If a Form SR-548 is prepared for any producer in accordance with Part IV hereof, type or print in parentheses immediately following his name and on the same line the notation "Form SR-548." The determination of the share to which each producer is entitled shall be made as of the time the county committee approves the application.

III. EXECUTION OF FORM ACP-119

See SRB-504A, or SRB-504B, in order to determine if Form 119 is required and for instructions for filling out such form.

IV. PREPARATION OF FORM SR-548

In cases where a landlord, tenant, or sharecropper shares in wheat, cotton, rice, or flue-cured tobacco on a farm on which the acreage of the crop exceeds the respective allotment by more than 10 percent, or exceeds the permitted acreage of cotton or the usual or permitted acreage of wheat whichever is applicable, and the producer shares in one or more other such crops on the same farm or any such crops on one or more other farms with respect to which the planted

acreage is less than 110 percent of the allotment for the crop, a Form SR-548, "Summary of Producer's Performance - 1941 Parity Payment Program" (hereinafter referred to as Form 548) shall be prepared in triplicate as follows:

1. Enter the name of the county and the name of the producer in the spaces provided.
2. For each farm in which the producer has an interest in one or more of the crops wheat, cotton, rice, or tobacco:
  - (a) Enter in column A the farm serial number.
  - (b) Enter on separate lines in column B the names of the crops (cotton, rice, tobacco, or wheat) in which the producer is interested on the farm in question. If the application for that crop for the farm has already been transmitted to the State office, an asterisk (\*) shall be entered after the name of the crop.
  - (c) Enter in columns C and F respectively, following the name of each crop, the total acreage of the crop planted on the farm for harvest in 1941, and the farm acreage allotment<sup>3/</sup> for such crop.
3. The entries to be made in columns D, E, and G will be determined in accordance with (a), (b), or (c), below whichever is applicable.
  - (a) If the division of payment for the crop is on the planted acreage basis:
    - (1) Enter in column D the producer's acreage share of the planted acreage, from the application work sheet (or Form 120).
    - (2) Enter in column E the percentage share, expressed to the nearest tenth of a percent, obtained by dividing the entry in column D by the entry in column C.
    - (3) Enter in column G the result obtained by multiplying the entry in column F by the entry in column E.

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<sup>3/</sup> If the county committee determines in accordance with the fifth paragraph of Part VI hereof, that the use of an erroneous notice of allotment is applicable in the case, the acreage figure set forth in the erroneous notice shall be used.

(b) If the division of payment for the crop is on the basis of the acreage shares which the county committee determines the various producers on the farm would have had if the entire acreage in the allotment had been planted to the crop in question in 1941:

- (1) Enter in column G the acreage share so determined for the producer in question.
  - (2) Enter in column E the percentage share, expressed to the nearest tenth of a percent, obtained by dividing the entry in column G by the entry in column F.
  - (3) Enter in column D the result obtained by multiplying the entry in column C by the entry in column E.
- (c) If the division of payment for the crop is on a percentage basis:
- (1) Enter in column E the producer's percentage share.
  - (2) Enter in column D the result obtained by multiplying the entry in column C by the entry in column E.
  - (3) Enter in column G the result obtained by multiplying the entry in column F by the entry in column E.

After entries have been made in accordance with items 2 and 3 above for all farms, enter the totals of columns D and G in the spaces provided. In such cases where it is known that the producer has an interest in farming operations in other counties, a statement to that effect should accompany a copy of Form SR-548 to the State office.

#### V. REPRESENTATIONS BY AND SIGNATURES OF APPLICANTS

Each applicant should familiarize himself with the provisions of Section II of Form 120, since it contains the representations upon which he is basing his claim for payment. Under no circumstances should an applicant be requested or permitted to sign Form 120 before all entries in connection with basic data and proportionate shares have been made on the form. Where Section II of Form 120 is used as a continuation sheet, the other Form(s) 120 on which the basic data and names and shares of other applicants have been entered must be with the continuation sheet when it is presented to the applicants named thereon for signature.

The signature of each applicant should be affixed in the space provided in Section II of Form 120 on the line with his name. Where the address is entered before the producer signs the application, the correctness of the address must be verified at the time the producer signs. The signature of each applicant on Form 120 or any related paper should agree with his name as typed or printed thereon. All signatures on the original form should be in ink or indelible pencil and must be in the original handwriting of the applicant or his duly authorized representative. Traced signatures, carbon impressions, and facsimile signatures on the original form are not acceptable. The provisions of ACP-16, "Instructions on Signatures and Authorizations in Connection with the Execution of Application for Payment or Related Papers under the Agricultural Conservation Programs," are hereby made a part of these instructions.

It is not required that signatures be witnessed unless they are made by mark, are printed or are signed in foreign script. Each signature by mark must be witnessed by a disinterested person whose signature must be in the original and handwritten. Where a witness to a signature is required, the signature of the witness should be affixed in the space provided immediately below the signature of the producer whose signature is being witnessed.

The date on which the signed application is filed in the county office shall be entered in the space provided. This shall be the date on which the applicants affix their signatures in those cases where they come to the county office to sign the application. Where all applicants do not sign the application on the same date, the date to be entered shall be the latest date on which the signature of any applicant is affixed, which in no event may be later than March 31, 1942, on original applications. Where the application is taken out or mailed out of the county office for signatures, the date the signed application is returned to the county office or if returned by mail the date of the post-mark on the envelope shall be considered as the date of filing.

If any interested person who otherwise would share in the payment refuses to sign the application, a statement by him setting forth his reason for refusing to sign should be attached. If such statement cannot be obtained, there must be attached a statement by a county committeeman or the association secretary indicating the efforts that have been made to secure his signature and statement. If for any other reason the signature of any person who otherwise would share in the payment cannot be obtained, the reason for his failure to sign shall be entered in the space where his signature would otherwise be affixed.

Payment may be made later to any such producer, if, within the time limit for accepting original applications, he submits a properly executed supplemental application. The notation, "Supp." shall be entered in the upper right corner immediately following the serial number of the supplemental application. The basic data on the supplemental application must be identical with those on the original application, except that it will not be necessary to include the acreage or

percentage shares of any producers other than those applying for payment on the supplemental application. The supplemental application need not be signed by any interested person whose signature was affixed to the original but must be signed by the association secretary and a member of the county committee.

If an application has been previously submitted and the word "out" was entered for any producer who signed the original application a supplemental application need not be submitted by that producer. If such producer did not sign the original application a supplemental application should be prepared for his signature in case it is determined that he is now eligible to file an application for payment.

#### VI. APPROVAL OF FORMS 120 BY COUNTY COMMITTEE

After all necessary data have been entered and thoroughly checked and the signatures of applicants affixed, the application shall be turned over to the county committee for consideration. The committee shall carefully examine the application and other data for the farm to determine whether the data entered thereon is correct.

If the county committee finds that a landlord of a separately owned tract of a farm covered by a Form ACP-95 has overplanted or caused the overplanting of the cotton, rice, tobacco, or wheat acreage allotment which was or could have been established for his separately owned tract of land included in the farm and refuses to cooperate with other producers having an interest in the farm in making equitable adjustment with respect thereto, the county committee shall attach to Form 120 two copies of the signed report of its findings, together with a copy of the Form ACP-95, where applicable, which was used in combining the separately owned tracts into one farm. The report shall set forth the acreage allotment for the crop(s) which was or could have been established for each separately owned tract in the farm and the acreage(s) planted to the crop(s) for harvest in 1941 on each such tract.

If the county committee finds that any person has adopted any practice which tends to defeat any of the purposes for which parity payments are made (including those practices set forth in Section 5 of P-1941, "1941 Parity Payment Regulations"), it shall attach to Form 120 two copies of the signed report of its findings.

The county committee is charged with the responsibility of determining that a person who signs an application in a representative or fiduciary capacity has the proper authority so to act. If the members of the county committee do not have personal knowledge that each such person has proper authority, they should require him to submit evidence of his authority. (See ACP-16, and AAA Forms 379, 380, 381, and 382 as to what constitutes acceptable evidence of such authority.) It is not required that a power of attorney on the applicable AAA form or similar form be secured for substitution unless the power of attorney

on file in the county office is found to be inadequate. No written evidence of authority need be attached to the application when it is submitted to the State office for payment.

If the county committee finds that the producers planted on the farm an acreage in excess of the acreage allotment for the crop with respect to which application for parity payment is being made due solely to the issuance of an erroneous notice of the acreage allotment, the committee shall attach to the application two copies of a statement with respect to the erroneous notice prepared in accordance with instructions set forth in Southern Region Bulletin 505A (or 505B).

In cases where the county committee determines, in accordance with the provisions of SRB-504A (or 504B) and 505A (or 505B), that a change or reduction in the tenants or sharecroppers on the farm with respect to the crop to which the parity application relates is not justified, a notation substantially as follows shall be made on Form 120 below the name and address of the last producer shown thereon: "Payment for John H. Doe, landlord (or operator) should not exceed

% of the (Name of Crop) payment for the farm." If the entire change or reduction is found to be not justified the percentage to be entered shall be the lesser of the entry in line 6 or the entry, if any, in line 8 of the applicable column D or F of the Form 119. If only a part of the change or reduction has been found to be not justified the percentage to be entered shall be the applicable percentage set forth in the certification of the county committee on the Form 119.

A typed copy of Form 119, signed by a member of the county committee, shall be attached to the Form 120 for transmittal to the State office:

1. If the county committee has found that all or any part of the change or reduction with respect to the crop in question was not justified, and
2. In all other cases where the entry in line 9, column D or F for the crop in question exceeds the entry in line 6 or the entry, if any, in line 8 in that column by more than 5.

After the county committee approves an application, it shall authorize one of its members to affix his signature on behalf of the committee in the space provided in Section III thereof. The county committee may (where applicable) delete from Section III of Form 120 that part of the Certificate of County Committee that reads:

"...the planted acreage for the commodity as indicated in Section I (1) above does not exceed the acreage allotment for such commodity under the Agricultural Conservation Program; the sum of the acreages of cotton, rice, tobacco, and wheat on this farm does not exceed the sum of the allotments or permitted acreages for such crops under the 1941 Agricultural Conservation Program;"

Where continuation sheets are used, the approval shall be on the first Form 120. The committeeman who signs in Section III of Form 120 must not be a near relative of any applicant or have any sort of financial interest in the farm covered by the application.

After the application has been approved by the county committee, it shall be turned over to the association secretary for his consideration and approval. The county committee may designate one or more persons employed in the office of the association to perform the duty of approving applications for payment and related documents on behalf of the association secretary. Such designation may be made by executing in quadruplicate an authorization in writing by at least two members of the county committee and delivering the original and one copy to the State office, handing one copy to the person so designated and retaining the other copy in the association files. The authorization should be substantially in the form set out in Southern Region Bulletin 305A (or 305B), except that "1941 Parity Payment Program" shall be substituted for "1939 Agricultural Conservation Program" in the body of the authorization.

#### VII. TRANSMITTAL OF FORM 120 TO STATE OFFICE

Before transmittal to the State office, each Form 120 should be carefully checked to determine that:

1. All data have been correctly entered.
2. Any correction has been properly initialed.
3. Each interested producer has signed or there is a proper explanation as to why he has not done so.
4. All signatures of interested producers are genuine and agree with their names as typed or printed on the application.
5. Any signature by mark has been properly witnessed.
6. A complete mail address is entered for each producer who has signed the application.
7. The signatures of the association secretary and a county committeeman have been affixed in the spaces provided.
8. The date of filing has been entered in the space provided.
9. There are attached to Form 120 the correct number of all applicable statements and, if applicable, a copy of Form 119.

Forms 120 shall be listed on Form SR-415, "Transmittal Sheet," and submitted to the State office. All Forms 120 listed on Form SR-548 and which have not been previously submitted, shall be submitted to the State office at the same time and should be listed on separate Forms SR-415 from those Forms 120 which are not listed on Form SR-548.

The original and all copies of Forms 120, with inserted carbons intact, shall be submitted to the State office. The "County Office Copy" and "Producer's Copy" will be returned to the county office after computations have been made thereon by the State office and the application has been certified for payment. The "Producer's Copy" shall then be delivered to the farm operator.

Issued with the approval of the Administrator on October 8, 1941.

I. W. Duggan

I. W. Duggan  
Director, Southern Division

Form SR-548 (Sample)  
United States Department of Agriculture  
Agricultural Adjustment Administration  
Southern Division  
1941

Name of County

Name of Producer

**Summary of Producer's Performance  
1941 Parity Payment Program**

xxxxx : Total : xxxx : : xxxx : : xxxx

1/The entry with respect to wheat on a non-wheat allotment farm shall be the applicable one of the following: (1) in Area A the entry shall be the harvested acreage but not to exceed the larger of (a) 10 acres, or (b) the wheat allotment; (2) in Area B the entry shall be the harvested acreage but not to exceed the larger of (a) the usual or permitted acreage whichever is applicable, or (b) 10 acres. The entry with respect to cotton on a "new-grower" (C-2) farm shall be the permitted acreage or the planted acreage whichever is the smaller.

42  
SRB

SRB-506 (Revised)  
Amendment 1

Issued January 23, 1942

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL ADJUSTMENT ADMINISTRATION  
SOUTHERN DIVISION

INSTRUCTIONS FOR FILLING OUT FORM ACP-120 (SR), "APPLICATION  
FOR 1941 PARITY PAYMENT"

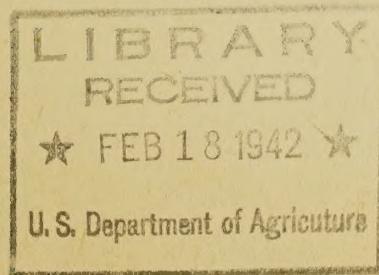
(Applicable to all States except Mississippi)

Amendment 1.

The second paragraph beginning on page 2, Part I of SRB-506,  
Revised, is amended by adding thereto the following:

"Where an application is executed for a nonwheat allot-  
ment farm in Area B on which the acreage planted to  
wheat exceeds the usual acreage or 10 acres, whichever  
is the larger, there shall be attached to the appli-  
cation the original and one copy of a statement, signed  
for the county committee by one of its members, setting  
forth whether any wheat was sold from the farm and, if  
not, the number of farm families on the farm in 1941."

Issued January 23, 1942 with the approval of the Administrator.



/s/ I. W. Duggan

I. W. Duggan  
Director, Southern Division

